

# ***Town of Horicon Planning Board***

Minutes of June 20, 2012

**Members Present:** Doug Paton, Harry Balz, Bill McGhie, Jim Remington, Mike Raymond, Alternates: Georgia McMeekin and Paul Holmes

**Members Absent:** None

**Others Present:** Mike Hill, Town Attorney, Gary McMeekin ZA, Priscilla Remington and Cheryl Erickson ZBA Members, Bob Olson Town Board Member

**Guests Present:** Harvey & Herta Leidy, Teri and Paul Shuerlein, Kelli Dougan, Maureen and Richard Dwyer, Robert Pickering, Gerald and Gerry Norlander, Robert LeBlanc, Christine Webster, Donna Noon, Valerie Olin, Claudia Braymer.

Pledge

**The regular meeting of the Planning Board** was called to order by Chair, Doug Paton at 7:00 PM. Harry Balz made a motion to approve the May minutes , 2<sup>nd</sup> by Bill McGhie All Ayes except Jim Remington and Mike Raymond as they were not present for the May meeting.

## **NEW BUSINESS:**

<b>File #</b>	<b>2012-14 CU</b>
<b>Tax Map#</b>	<b>54.1-1-18</b>
<b>Property Location:</b>	<b>705 Valentine Pond Road</b>
<b>Property Owner:</b>	<b>Robert and Kathryn Pickering</b>
<b>Project:</b>	<b>Conditonal Use to replace a shed located in a flood zone.</b>

Robert Pickering stated that Warren County requires a certificate of elevation from a surveyor, this location of the shed is the highest part of the property. Gary McMeekin stated that this is an unfortunate situation due to the fact that this property is located in the class A Flood zone per the FEMA map and the property owner need to get a base line elevation from a licensed surveyor. Harry Balz asked if there was an elevation for Valentine Pond. Gary McMeekin stated that this shed will be located 300' from the water and we do not have an elevation for Valentin Pond. After a brief discussion, Bill McGhie made a motion to deem the application complete and schedule a public hearing, with the receipt of a survey, 2<sup>nd</sup> by Harry Balz. All Ayes.

## **PUBLIC HEARING:**

**File #** 2012-12 CU  
**Tax Map#** 71.16-1-18  
**Property Location:** Palisades Road  
**Property Owner:** Dwyer Richard and Maureen, Erickson Peter & Carol and Schwaltji James  
**Project:** Conditonal Use to replace a shed located in a flood zone.

Doug Paton read a letter sent to Richard Dwyer, dated June 4<sup>th</sup> as to items this board will need to continue the application. Gary McMeekin stated that he spoke with Richard Dwyer and the current dock exceeds the length by eight feet and asked Richard Dwyer to remove the eight foot ramp bringing the dock system into compliance.

Herta Leidy stated that this is not a subdivision and questions the multi-access dock section regarding subdivisions.

Gary McMeekin read the definition of a multi-access dock "owned by 2 or more individuals not related by blood or marriage".

Herta Leidy felt that this is conflicting.

Mike Hill stated that 9.70 is applicable.

Harvey Leidy stated that he is the President of the BL Pine Ridge HOA and feels the current dock system design meeting the provisions of Section 11.60 and wants the Planning Board to consider the effects on public safety, the adverse effect on the environment with the parking, compatibility with the existing zoning ordinance, the impact on the general navigation the ingress and egress of the docking and mooring, showing photos of the property in 2007. Harvey Leidy continued to state that the applicants are not a Association, there were five original owners, now three owners, there are within 500 feet of a County Road and have 53 feet of road frontage on Palisades Road, the SEQRA form is blank, the boats are owned by three owners, there is a problem with the swimming area referring to the ordinance of Chester that states a lot must have 50% usage for swimming, referred to Richard Dwyers's statement that no permit was obtained, questioning if the use complies, handed out the current dock regulations stating that the configuration does not comply with current dock design laws, suggesting that one finger length be eliminated to meet the design guidelines and to provide better protection for the beach area. Referred to Section 9.61- location, character, activities, not create a public hazard with the parking of automobiles. Handed out information regarding the parking which is very close to the Pine Ridge HOA entrance and cars are parked outside of the white line, limited site distance and hazardous for bicycles and walkers. Owners are entitled to quiet use of the beach which is not the case since 1993, do not want to be harassed and requests this board to look at the merits of the situation, adjust the configuration so it does not interfere with the Pine Ridge HOA property.

Gerald Norlander handed the board a written statement in support of Harvey Leidy requesting that the zoning law be adhered to, the board look at the number of boats docked which he feels goes to the commercial marina requirements of 250' of shoreline, 3 acres of property and 2 parking spots for each boat with a toilet facilities, Mr Norlander continued to ask this board to look at the visual and environmental impact of the docks on the shoreline and wanted to know what would happen if everyone did this

Harry Balz asked Richard Dwyer where people were swimming.

Richard Dwyer stated that people swim in front of the docks. In 1983, seven boats were allowed, police are called all the time but no tickets are ever issued and agreed to put the dock back eight feet.

Bill McGhie stated that question #3 was not answered.

Richard Dwyer stated that the parking is not for the dock usage but for the beach usage, people with boats do not park on the property but on neighbors property.

Mike Raymond asked about the other owners and where they park.

Richard Dwyer stated that the Erickson's drive down and the traffic on Palisades Road is not for the docks but for the beach.

Mike Raymond asked if dock space is leased

Richard Dwyer stated No, Erickson has three sons and a daughter in a wheel chair

Bill McGhie asked the cars have nothing to do with the docks?

Richard Dwyer answered on and off - yes

Doug Paton stated that multiple access docks system, not public parking, may be an issue.

Harry Balz asked if the board received the paperwork that was requested.

Doug Paton stated that the third signature was needed.

Mike Raymond asked Richard Dwyer if there was anything he could do to accommodate the neighbors

Richard Dwyer stated that there was plenty of room

Mike Raymond stated that there is 39 feet on the other side of the dock system

Richard Dwyer stated that he would move the pontoon boat to that side.

Maureen Dwyer stated that 4 to 6 boats are not going in and out all the time, the Schwaltji may use his boat for one day, the Ericson's for one week per year and there is not a constant traffic jam

Paul Holmes asked why people park in Palisades Road

Richard Dwyer stated for parties, 4<sup>th</sup> of July, Graduation, Weddings

Paul Holmes stated that putting the dock issue aside, there is a safety issue of traffice

Maureen Dwyer stated that this is a rural area and asked where people park for birthday parties, where do you tell people to park.

Paul Holmes stated that if parking problems continue to exist that it will need to be addressed.

Mike Hill stated that additional information is needed from the applicant along with the dock being compliance.

Harry Balz made a motion to continue the pubic hearing for July 18<sup>th</sup>, on the condition that the third signature is received and the dock brought into compliance, 2nd by Mike Raymond. All Ayes.

Being no further business before the board, the Meeting was adjourned at 8:10 PM

Respectfully submitted  
Christine Hayes